

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**RECEIVED**

JUN 20 2005

**BROMBERG & SUNSTEIN**

SCANSOFT, INC.,

Plaintiff,

v.

C.A. No. 04-10353-PBS

VOICE SIGNAL

TECHNOLOGIES, INC.,

LAURENCE S. GILLICK,

ROBERT S. ROTH,

JONATHAN P. YAMRON,

and MANFRED G. GRABHERR,

Defendants.

**CONTAINS CONFIDENTIAL INFORMATION  
SUBJECT TO PROTECTIVE ORDER**

**COPY**

DEPOSITION OF JEANNE McCANN, a witness called  
by and on behalf of the Defendants, taken pursuant to  
the applicable provisions of the Federal Rules of  
Civil Procedure, before Dana Welch, CSR, Registered  
Professional Reporter, and Notary Public, in and for  
the Commonwealth of Massachusetts, at the offices of  
Choate, Hall & Stewart, 53 State Street, Boston,  
Massachusetts, commencing at 9:03 a.m.

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1 Q. Starting with college, what is your  
2 educational background?

3 A. My bachelor's degree is from Simmons  
4 College in Boston, Massachusetts, with  
5 specialties in math, physics and education. I  
6 have an M.B.A. from Babson College with  
7 specialty in finance and computer systems.

8 Q. When did you graduate from Simmons?

9 A. In 1972.

10 Q. And from Babson?

11 A. 1976.

12 Q. I'm just going to ask you some  
13 questions that are designed to elicit your  
14 employment history since Babson. What did you  
15 do after you obtained your degree from Babson?

16 A. I went to Babson while I was working.  
17 So my first employment --

18 Q. So let me stop you there and ask you  
19 where you were working at the time?

20 A. In 1972, after I had graduated from  
21 Simmons, I went to work for Liberty Mutual  
22 Insurance Company in their systems development  
23 group, their internal software development  
24 group. I worked at Liberty Mutual in Boston,

1 Massachusetts from 1972 until 1979.

2 Q. What did you do next?

3 A. And in 1979, I joined Wang Laboratories  
4 in Lowell, Massachusetts; and I was at Wang and  
5 successor subsidiaries until 1997.

6 Q. What was the last position you held at  
7 Wang?

8 A. The last position I held at Wang was  
9 vice-president of product development for their  
10 Wang Software subsidiary.

11 Q. While at Wang, did you work on speech  
12 recognition technology?

13 A. While at Wang, I worked very  
14 tangentially on speech recognition  
15 technologies. For several years I managed the  
16 product development team that was developing  
17 voice mail systems for Wang and the product  
18 management team that was managing the speech  
19 efforts. Those speech efforts were a very,  
20 very tiny part of what Wang was doing at the  
21 time.

22 Q. When you left Wang, where did you go to  
23 work? When you left Wang did you immediately  
24 go to work for someone else?

1           A. Wang Software was acquired by Eastman  
2 Kodak and the name changed from Wang Software  
3 to Eastman Software. So for approximately  
4 two years I worked for a subsidiary of Kodak.

5           Q. Which subsidiary?

6           A. Well, Eastman Software was the  
7 subsidiary of Kodak.

8           Q. What was your position at Eastman  
9 Software?

10          A. I was vice-president of development for  
11 production products, which was a subset of the  
12 product lines focused on digital imaging,  
13 production work flow and COLD; capital C-O-L-D,  
14 which stands for Computer Output to Laser Disk.  
15 It's a storage mechanism.

16          Q. And is it correct that you left Eastman  
17 in 1999?

18          A. I believe I left Eastman in 1998. I  
19 went directly from Eastman Software to Dragon  
20 Systems; and I believe I joined Dragon Systems  
21 in July of '98.

22          Q. What was your first position at Dragon?

23          A. My first position at Dragon was  
24 vice-president of development; that was also my

1     only position at Dragon.

2           Q.   I take it there came a time when Dragon  
3     was acquired by Lernout & Hauspie; is that  
4     correct?

5           A.   That's right.

6           Q.   And at or shortly after the time of the  
7     L&H acquisition, what was your position?

8           A.   At L&H, my position was vice-president  
9     of product development for the dictation  
10    products.

11          Q.   During your time -- during the Dragon  
12    period, that is prior to L&H, you said you were  
13    vice-president of development. Did that  
14    encompass all of the products that Dragon was  
15    then developing or a subset of those products?

16           MS. FLEMING:  Objection.  You can  
17    answer.

18           THE DEPONENT:  Okay.  That covered all  
19    of the products that Dragon was developing.

20    BY MR. FRANK:

21          Q.   How long did you hold the position of  
22    vice-president of product development for L&H?

23          A.   I'm not exactly sure of the time.  L&H  
24    was undergoing a lot of changes during the year

1           THE DEPONENT: Speech recognition  
2           systems generally do operate with  
3           algorithms that determine which are the  
4           words or sounds most likely to have matched  
5           the incoming, incoming set, and use that  
6           most likely list as part of the selection  
7           criteria.

8       BY MR. FRANK:

9           Q. Okay. And in the context of Natural  
10          Language Understanding as we were talking about  
11          before, is it correct that one of the inputs to  
12          the judgment made by the system of what the  
13          most likely word spoken was are the statistical  
14          models that you described that cause the system  
15          to know that the word "bush" likely follows or  
16          more likely follows the word "president" than  
17          other words?

18          A. As a generalization, that would be  
19          correct.

20          Q. Okay. So that is one of the inputs to  
21          the determination of the most likely word that  
22          was spoken by the user?

23          A. That would be correct.

24          Q. Okay. Are you familiar with the term

1 called "duration modeling of speech"?

2 A. No.

3 Q. That's not familiar to you?

4 A. No.

5 Q. Okay. Are you familiar with something  
6 called "duration modeling"?

7 A. No. My background is not on the speech  
8 research side of speech recognition.

9 Q. Have you heard the term "duration  
10 modeling" used?

11 A. I may well have. I don't recall what  
12 it was in reference to or what it means at this  
13 point.

14 Q. Okay. Is duration modeling used in any  
15 product that is sold by ScanSoft?

16 MS. FLEMING: Objection.

17 THE DEPONENT: I don't know. You would  
18 need to ask one of our researchers.

19 BY MR. FRANK:

20 Q. Who would be most likely to know?

21 A. With respect to the Dragon  
22 NaturallySpeaking products, it would probably  
23 be Francis Ganong, F-R-A-N-C-I-S, G-A-N-O-N-G.

24 Q. Is the phrase or term "word sequence

1 hypothesis" familiar to you?

2 A. I'm sure I've heard the phrase before.

3 Q. What do you understand it to mean?

4 A. I would be speculating.

5 Q. What do you understand it to mean?

6 MS. FLEMING: We don't want you to  
7 speculate. If you have an understanding of  
8 what that phrase means, then state it.

9 THE DEPONENT: I would be speculating  
10 and it would not map to what a researcher  
11 when they use that phrase would mean.

12 BY MR. FRANK:

13 Q. How do you use the word -- what do you  
14 understand the words "word sequence hypothesis"  
15 to mean?

16 MS. FLEMING: Objection.

17 THE DEPONENT: I would never have used  
18 those words.

19 BY MR. FRANK:

20 Q. Okay. So is it your testimony that  
21 those words just don't have a meaning to you?

22 A. I'm not on the research side of speech  
23 recognition.

24 Q. Do those --

1 "phoneme look ahead" to mean?

2 A. I understand the words. Phoneme, it's  
3 a subpart of speech; look ahead, looking ahead  
4 of one phoneme to another. The phrase likely  
5 has meaning that a researcher would understand  
6 differently than my understanding of the  
7 two words.

8 Q. What is your understanding of the  
9 phrase phoneme look ahead?

10 MS. FLEMING: Objection. Asked and  
11 answered.

12 THE DEPONENT: In a research context I  
13 would not answer.

14 BY MR. FRANK:

15 Q. What is a "lexical tree"?

16 A. I don't have that kind of detailed  
17 technical insight.

18 Q. What is "lexical tree prefiltering"?

19 A. I don't have that knowledge.

20 Q. Who would you go to amongst your direct  
21 reports to find out what a lexical tree is?

22 MS. FLEMING: Objection.

23 THE DEPONENT: I would go to Vlad  
24 Sejnoha.

CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

I, Dana Welch, Registered Professional  
Reporter and Notary Public in and for the  
Commonwealth of Massachusetts, do hereby  
certify:

That JEANNE MCCANN, the witness whose  
deposition is hereinbefore set forth, was duly  
sworn by me and that such deposition is a true  
record of my stenotype notes taken in the  
foregoing matter, to the best of my knowledge,  
skill and ability.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 17th day of June, 2005.

DANA ULRICH WELCH

Dana Welch, RPR

Registered Professional Reporter

## C E R T I F I C A T E

I, Jeanne McCann, do hereby certify that I have read the foregoing transcript of my testimony, given on June 15, 2005, and I further certify that said transcript is a true and accurate record of said testimony (with the exception of the corrections listed below):

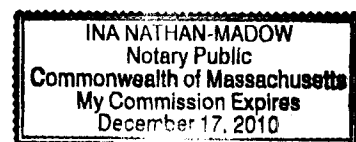
Page	Line	Correction
10	21	'Gido' should be 'Guido'
153	12	'Burt' should be 'Bert'
156	7	'Kaaki' should be 'Kaake'
220	2-4	Answer references answer on Page 219, Lines 13-17

Dated at Middlesex County, this 14<sup>TH</sup> day of July, 2005.

Jeanne J. McCann  
Jeanne McCann

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY

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Ina Nathan-Madow